| 1 | IN THE SUPREME COURT OF THE STATE OF NEW MEXICO |
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| 2 | November 1, 2019 |
| 3 | NO. 19-8300-018 |
| 4 | IN THE MATTER OF THE ADOPTION OF |
| 5 | NEW RULE 5-705 NMRA AND THE |
| 6 | AMENDMENT OF RULES 5-208 AND 5-601 |
| 7 | NMRA OF THE RULES OF CRIMINAL |
| 8 | PROCEDURE FOR THE DISTRICT |
| 9 | COURTS, AND THE AMENDMENT OF |
| 10 | RULES 6-204 AND 6-304 NMRA OF THE RULES OF CRIMINAL PROCEDURE FOR |
| l 1 l 2 | THE MAGISTRATE COURTS, RULES 7- |
| 13 | 204 AND 7-304 NMRA OF THE RULES OF |
| 14 | CRIMINAL PROCEDURE FOR THE |
| 15 | METROPOLITAN COURTS, AND RULES |
| 16 | 8-203 AND 8-304 NMRA OF THE RULES |
| 17 | OF PROCEDURE FOR THE MUNICIPAL |
| 18 | COURTS |
| 19 | ORDER |
| 20 | WHEREAS, this matter came on for consideration upon recommendation of |
| 21 | the Rules of Criminal Procedure Committee to adopt new Rule 5-705 NMRA of the |
| 22 | Rules of Criminal Procedure for the District Courts, and to amend Rules 5-208 and |
| 23 | 5-601 NMRA of the Rules of Criminal Procedure for the District Courts, Rules 6- |
| 24 | 204 and 6-304 NMRA of the Rules of Criminal Procedure for the Magistrate Courts, |
| 25 | Rules 7-204 and 7-304 NMRA of the Rules of Criminal Procedure for the |
| 26 | Metropolitan Courts, and Rules 8-203 and 8-304 NMRA of the Rules of Procedure |
| 27 | for the Municipal Courts, and the Court having considered the recommendation and |

| 1 | being sufficiently advised, Chief Justice Judith K. Nakamura, Justice Barbara J. |
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| 2 | Vigil, Justice Michael E. Vigil, Justice C. Shannon Bacon, and Justice David K. |
| 3 | Thomson concurring; |
| 4 | NOW, THEREFORE, IT IS ORDERED that new Rule 5-705 NMRA is |
| 5 | ADOPTED; |
| 6 | IT IS FURTHER ORDERED that the amendment of Rules 5-208, 5-601, 6- |
| 7 | 204, 6-304, 7-204, 7-304, 8-203, and 8-304 NMRA is APPROVED; |
| 8 | IT IS FURTHER ORDERED that the above-referenced amendments shall be |
| 9 | effective for all cases pending or filed on or after December 31, 2019; and |
| 10 | IT IS FURTHER ORDERED that the Clerk of the Court is authorized and |
| 11 | directed to give notice of the above-referenced amendments by publishing them in |
| 12 | the Bar Bulletin and New Mexico Rules Annotated. |
| 13 | IT IS SO ORDERED. |
| 14 15 16 | WITNESS, Honorable Judith K. Nakamura, Chief Justice of the Supreme Court of the State of New Mexico, and the seal of said Court this 1st day of November, 2019. |
| 17 18 19 | Joey D. Moya, Chief Clerk of the Supreme Court of the State of New Mexico |